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JUN 19 2009
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In re Application of:
Michael F. Greene et al.
Application No. 10/585,239
Filed: June 29, 2006
For:

**DEVICE FOR ESTABLISHING
COMMUNICATIONS
INTEROPERABILITY AT AN
INCIDENT SITE INCLUDING
MEANS FOR RECORDING
CRISIS INCIDENTS**

**DECISION ON PETITION
TO MAKE SPECIAL**

This is a decision on the petition filed on February 14, 2007 under 37 C.F.R. §102(c) and M.P.E.P. § 708.02: Accelerated Examination, to make the above-identified application special.

The petition is **DENIED**.

REGULATION AND PRACTICE

A petition to make special filed on or after August 25, 2006 will only be granted if it is based upon applicant's health or age or is under the PPH pilot program, or if it complies with the requirements set forth in MPEP § 708.02(a).

708.02(a) [R-5] Accelerated Examination

All petitions to make special, except those based on applicant's health or age or the Patent Prosecution Highway (PPH) pilot program, filed on or after August 25, 2006 must meet the requirements set forth in subsection I.

Applications filed prior to August 25, 2006 are **not** eligible for the accelerated examination program set forth below. A petition to make special filed on or after August 25, 2006 will only be granted if it is based upon applicant's health or age or is under the PPH pilot program, or if it complies with the requirements set forth below

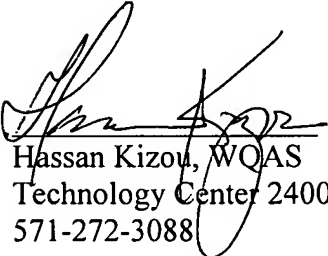
708.02(a), subsection VIII States:

Any non-reissue utility or design application filed under 35 U.S.C. 111(a) on or after August 25, 2006 is eligible for the accelerated examination program. The following types of filings are **not eligible** for the accelerated examination program:

- (1) plant applications;
- (2) reissue applications;
- (3) applications entering the national stage from an international application after compliance with 35 U.S.C. 371;
- (4) reexamination proceedings;
- (5) RCEs under 37 CFR 1.114 (unless the application was previously granted special status under the program); and
- (6) petitions to make special based on applicant's health or age or under the PPH pilot program.

The application's filing date is prior to August 25, 2006 and the application is national stage of the international application PCT/US08/081186. Therefore the application is not eligible for the accelerated examination under 37 C.F.R. § 1.102.

For the above-stated reason, the petition is denied. The application will therefore be taken up by the examiner for action in its regular turn.


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